GOVERNMENT OF MADRAS. Secrt. II-28.—60,006.

Health (1952) Department.

~~Endorsement~~
~~D.O.~~
Memorandum (28 pages)
~~Lodged~~

No. 20832/52-1T

Dated 15-5-1952

closed
31/1/53

Back FURTHER PAPERS.

Department.	Number.	Series.	Date.
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	1		
	7-2-53.		

Secy, Health
7/5/52

00626

1

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SECRETARY
8 MAY 1952
HEALTH DEPARTMENT

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To
By

MINISTER FOR HEALTH
8 MAY 1952
GOVERNMENT OF MADRAS

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Nilgiris Kna.	7			20832	72.

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TO Hon'ble Sri A.B. Shetty
Health Minister Madras

= Requires applications already submitted pray instruct urgently South Kanara Karkala Panchayat Refuse permission industrial Concern even with Electric power Tellar Road Tiik Question Residential area settled now pending before

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Mercedes Kno.

= Reference application already submitted from instruct urgently South Konoro Restrode Frankenapt Rhine Permission industrial Concerns even with Electric Power Talbot Road Tilt Question: Residential area Salted Mon Jamming before

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TO

Government Vide section 13E Panchayat Act section 10 Health act otherwise for functions favour Wealth as Panchayat granting licence without waiting for Notification area having direct Panchayat village Tenure Total Resident area -

= Thakor Bhavsinhji Parkar

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- Delete Marine Mammal Protection Act Section 10
- Delete Migratory Bird Treaty Act
- Delete Clean Water Act Section 404
- Delete Clean Water Act Section 401
- Delete Rivers and Harbors Act Section 10
- Delete Coastal Barrier Resources Act
- Delete Coastal Zone Management Act Section 307
- Delete Endangered Species Act Section 7
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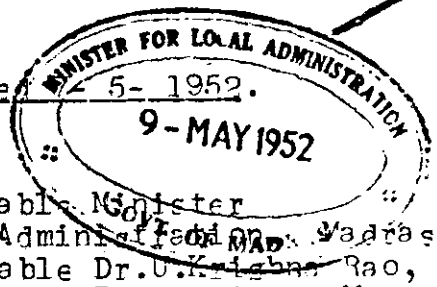
- Delete Coastal Barrier Resources Act



Ordinary

Dated 7- 5- 1952.

Honourable
Sri A.B.Shetty
Health Minister
Madras

Copy to
1. Honourable Minister
Local Administration, Madras
2. Honourable Dr.U.Krishna Rao,
Minister - Industries - Madras.

20909

Reference applications already submitted Pray instruct urgently South Kanara Karkala Panchayat refuse permission, industrial concerns even with electric power, Tellar Road till question residential area settled, now pending before Government, Vide Section 135 Panchayat Act Section 90 Health Act. Otherwise complications danger health, as Panchayat granting licence without waiting for nodification areas. Kindly direct Panchayat notify Tellar Road residential area.

Health

==========

From

Doctor Bhavanirao

Karkala

Let me see me file.

True copy submitted in confirmation for favourable consideration and kind necessary action.

Bhavanirao

M.B.,C.M.,
Retd.Civil Asst. Surgeon, Karkala,
South Kanara.

Dated 7- 5- 1952.

55 9/5/52 S/5/52

Karkala, South Kanara,
Dated 7- 5- 1952.

From

Sri P.Bhavani Rao, M.B.,C.M.,
Retired Civil Assistant Surgeon,
Karkala, South Kanara.

To

The Hon'ble Minister for Local Administration,
Government of Madras, Fort St.George,
Madras.

S i r,

Ref:- Tellar Road, Karkala Panchayat - South Kanara - residential area -

In continuation of my previous applications and telegrams to the Government of Madras, I am submitting herewith a copy of telegram dated 7-5-1952 for favourable consideration and kind necessary action.

I beg to request that urgent instructions may kindly be issued to South Kanara, Karkala Panchayat, to refuse permission for industrial concerns even with electric poweer, Tellar Road locality till the question of residential areas and notification is settled by Government, as the same is now pending before the Government; as otherwise, there would be danger to public health, nuisance and complications, as the Karkala Panchayat is granting licence without waiting for notification of areas.

I once more pray that the Karkala Panchayat may be kindly directed to notify Tellar Road locality residential area - as recommended by the Director, Public Health, Madras, and other authorities.

Requesting to be excused for the trouble given and liberty taken.

Yours faithfully,

M.B.,C.M.,
Retd.Civil Asst.Surgeon, Karkala,
S.Kanara.

Copy to:-

1.The Hon'ble Sri A.B.Shetty,
Health Minister,Govt.of Madras,
Fort St.George, Madras.
2.The Hon'ble Dr.U.Krishna Rao,
Minister for Industries, Government
of Madras, Madras.

Copy Rp. Tamil

Ordinary

Dated 7- 5- 1952.

Honourable
Sri A.B.Shetty
Health Minister
Madras

COPY To
1. Honourable Minister
Local Administration
Madras.
2. Honourable Dr.U.Krishna Rao
Minister Industries
Madras.

Reference applications already submitted Pray instruct urgently South Kanara Karkala Panchayat refuse permission, industrial concerns even with electric power, Tellar Road, till question residential area settled, now pending before Government, Vide Section 135 Panchayat Act Section 90 Health Act. Otherwise complications danger health, as Panchayat granting licence without waiting for notification areas. Kindly direct Panchayat notify Tellar Road residential area.

==========

From . . . . . Doctor Bhavanirao
Karkala.

True Copy submitted in confirmation for favourable consideration and kind necessary action.

Bhavanirao

Dated - 7- 5- 1952.

M.B.,C.M.,
Retired Civil Assistant Surgeon,
Karkala, South Kanara.

Secy. Health

Copy to P. Tamil

9/5

Karkala, South Kanara
Dated 7- 5- 1952.

From

Sri P.Bhavani Rao, M.B.,C.M.,
Retired Civil Assistant Surgeon,
Karkala, South Kanara.

To

The Honourable Sri A.B.Shetty,
Health Minister,
Government of Madras, Fort St.George,
Madras.

SECRETARY
9 MAY 1952
20965
HEALTH DEPARTMENT

Sir,

Ref:- Tellar Road, Karkala Panchayat - South Kanara - residential area -

In continuation of my previous applications and telegrams to the Government of Madras, I am submitting herewith a copy of telegram dated 7-5-1952 for favourable consideration and kind necessary action.

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Requesting to be excused for the trouble given and liberty taken.

Yours faithfully

M.B.,C.M.,
Retd.Civil Asst.Surgeon, Karkala,
S.Kanara.

Copy to:-

1.The Hon'ble Minister for Local Administration, Government of Madras Madras.
2.The Hon'ble Dr.U.Krishna Rao, Minister for Industries, Government of Madras, Madras.

SS 19/5/52

00627

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01 MAY 1952

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By 13 49.

Sent at H. M.

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By

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Mangalore Kna.					

TO Planning Officer Town Administration Department

= References applications already submitted pray instruct urgently South Kanara. Karkala Panchayat Refuse permission industrial Concerns even with Electric power Tellar Road Till Question Residential area settled nao pending before

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SS 10/5/52

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= References applications already Submitted

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15

Class
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TO

Government Vide Section 135 Panchayat Act section 90
~~Health act officer vide Compliance Sanitary Health as~~
~~Panchayat granting licence without waiting for~~
~~Notification area kindly direct Panchayat notify~~
~~Toll Road Residential area~~
~~Victor Bhagyaraj Pandiyan~~

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Environment Wide Section 135 Trust Right Act Section 20
Health and other purposes compliance Energy Health as
Vendor not Operating Licence without Building for
Not Application areas Friendly direct Encumbrance modify
. To Water Trade Residential area
=Dealer Environmental Parking.

H.M. (Health) Secy. Health

00628 10/5/52 SECRETARY 17

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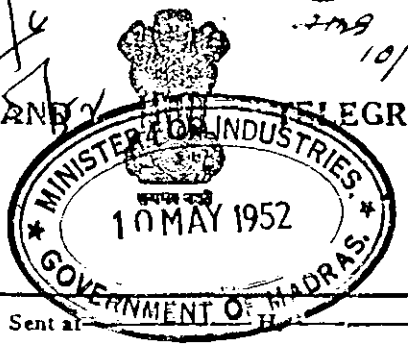

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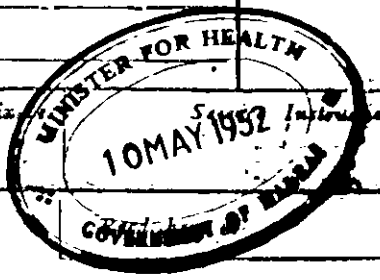

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TO The Hon. Dr. T. Sivashanmugam

Minister for Health Madras.

= Reference application already submitted pray instruct urgently South Kanara Karkala Panchayat Refuse permission industrial Concerns owners with Electric power Tellar Road Silk Question Residential area selected now pending before

N. B.—The name of the Sender, if telegraphed, should be written after, but separated from, the text.

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Handed in at (Office of Origin).	Date.	Hour.	Minute.	Service Instruction.	Words.

TO

Recd. here at H. M.

Government Vide section 135 Panchayat Act section 70
health act otherwise complications Longer Health as
Panchayat granting licence without waiting for
Notification areas kindly direct Panchayat notify
Tellar Road Residential area.

= Doctor Bhaswirao Jarkar

$ 55/15.5

21

Health (T) Deptt.

Ref 1-11 cf

From Sri P. Bhavani Rao, Karkala, telegram and petition, dated 7-5-1952.

...

Sub: Licence - South Kanara Dist. - Karkala Panchayat - Tellar Road area - Declaration as a residential area.

B(FD) 15/5/52

Memorandum No. 20832/52-1 T Health dated 15.5.52

It has been represented to the Government that the Karkala Panchayat Board is granting ~~licences~~ (further permissions) for the installation of ~~addl.~~ machineries in the Tellar Road area of the Panchayat. The Government consider that the Panchayat Board should be advised not to take any precipitate action to grant permissions for ~~any more~~ further installations in the area, pending final orders of the Government in ~~relation to~~ the light of the judgment of the High Court, Madras, in the matter of the installation of Sri A.N.Sitharamachar. The Inspr. of Ml.Cls. and L.Bds. is accordingly requested to issue urgent instructions to the

Vide orders in On. 3NF

Panchayat Board in the matter. ~~This should be treated as very urgent.~~

M.
14/5/52

VKM
1553

To the Inspr. of Ml. Cls. and L.Bds.

(s/c 52)

Copy to the DPH

Collr of Kanara, Mangalore

Keep file open

15/5

T 20887 F

LOCAL ADMINISTRATION DEPARTMENT
SECRETARIAT MADRAS

DEPUTY SECRETARY
27483
17 JUN 1952
HEALTH

MEMORANDUM OF THE INSPECTOR OF MUNICIPAL COUNCILS & LOCAL BOARDS, MADRAS.1.
L.DIS.NO.27555/52 dated 29-5-52.

Sub:- Licence - Karkala panchayat - South Kanara District - Tellar Road area - declaration as a residential area, Government Memo No. 20832/52-1-T-Health dated 15-[illegible].

A copy of the Government Memo referred to above is herewith communicated to the Executive Officer, Karkal panchayat and he is requested to bring its contents to the notice of the panchayat for its information and necessary action and also to see that the instructions of Government are not violated.

Health 210

4.6.52

For Inspector.

To the Executive Officer, Karkala panchayat, through the President panchayat, Karkala, South Kanara District (with enclosure

Copy to the Secretary to Government, Health Department for information

CDF/51-5

K.A.No. 20887-1A-52

4/6

Health (T)

This may be added to the main file. No action is necessary

~~from Secy Deptt~~

18/6/92

Health (T)

pp 1-4 cf From Sri. A. Bhavani Rao, Karkala, telegram and petition dated 7.5.52

Sub: Licence. South Kanara Dist - Karkala Panchayat - Tellar Road area - Declaration as a residential area.

Extract of Secy's orders at p 5 cf.

'Let me see the file'

S.R.K
9.5.52.

The telegram of Doctor P. Bhavani Rao of Karkala at pp 1-3 cf and the petition at p 7 cf may be perused. The petitioner requests that till a decision is taken on the question of declaring the Tellar Road area in the town as a residential area, the Panchayat Board may be directed not to permit the installation of any machinery in the area as otherwise there will be danger to public health, nuisance and several other complications.

p 7 cf

2. It is in this Connection respectfully submitted that there are no papers pending on the subject of declaration of the Tellar road area as a residential area. The only file which is pending is about the grant of permission for the installation of a 10 H.P. motor for running two oil chwks by one Sri A.N Sitharamachar wherein it is proposed to file an appeal against the judgement of the High Court. The Connected file has been sent to the Legal Deptt who have called for the remarks of the Advocate-General on the ground on which the appeal should be filed

+ C no 6095/51

In the circumstances it is for consideration

~~whether the Panchayat Board may be~~ advised to defer the question of permitting further installations in the area pending instructions from Govt. for orders. Legal (Opinion) may see for advice as to whether there is any ~~legal objection to the course being adopted~~.

10.5.52

3. In connection with the case referred to in para. 2 overleaf, the D.P.H. had originally advised the P. Bd., Karkala, to reserve the Tellar Road area as a residential area. The petitioner presumably refers to this advice of the D.P.H. The D.P.H. and the D.T.P. have since however revised their opinions and recommended the grant of permission for the 10 H.P. electric motor referred to in para. 2 above. Further installations will have to be decided on their merits by the P. Bd. in consultation with the prescribed authorities and it is not clear how the Govt. can intervene and direct the Bd. not to grant any further installations in the area.

4. If ~~however any~~ considered desirable, a copy of the telegram dtd. 5 cf. and of the representation dtd. 7 cf. may be referred to the E.O., P. Bd., Karkala, for remarks. For orders.

Yes
12/5/52

What have we done with the main file? Have final orders been passed as desired by the High Court?

SRK
12.5.52

Attention is invited to para. 2 of the note overleaf. The main file is in Legal now. It was sent to them.

A

to them for consulting the Adv: Genl. on the question of appealing against the judgment of the High Court quashing the orders of the Govt. granting permission for the installation of a ten H.P. electric motor by Sri A.N. Seetharamachar. Without giving his opinion, the Adv.-Genl. reported that as there was no time, as a letters-patent appeal had been filed. A copy of the grounds of appeal was called for by Legal. Pending receipt of the grounds of appeal, Legal have since asked the Adv: Genl. for definite opinion whether the appeal already filed should be pressed or withdrawn. The matter stands at this stage. Pending a decision on this question of appeal, the question of considering the case of permission for the electric motor again according to law as ordered by the High Court has not been taken up.

Submitted for orders.

14/5/52

I suggest that the Kankal Panchayat may be advised not to take any precipitate action to grant permission for any more installations. The instruction may issue thro' the Supdr

S.V.K. Aiyar
12.5.52

* Ref. to at 'A' above

SECRETARY
14 MAY 1952
HEALTH DEPARTMENT

Draft 14/5/52

Date 13/5/52

HM (H) 13/5

Health (T)

A draft memo is submitted for approval

A copy to the D.P.H. also the Collr of S. Kanara at Mangalore

14.5.52

14/5/52

S.V.K.
15.5.52

4 28

This file was kept linked with the main Karkala file. Now that orders have since been issued in that case, in G.O. No. 4068, Health, dated 28.12.1952, this file may be closed with the Memo. at pp 21-22 (D) in top file for orders.

9/1/53

SRK
15/1/53

SRK
15/1/53